

**IN THE UNITED STATES BANKRUPTCY CO
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

FERNANDO APONTE-ORTIZ

Debtor

WILSHIRE CREDIT CORPORATION as servicer for Lasalle National Bank, as Trustee for the registered holder of Salomon Brothers Mortgage Securities VII, Inc., Series 1997-HUD2

Movant

v.

FERNANDO APONTE-ORTIZ, Debtor and JOSE RAMÓN CARRIÓN MORALES, Chapter 13 Trustee,

Respondents

Bankruptcy No. 02-05455 (SEK)

Chapter 13

INDEX (A)

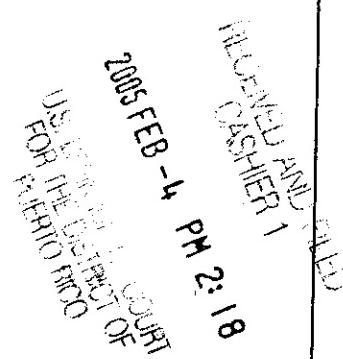
- () Of acts against property under 11 U.S.C. § 362 (d)(2)
- (X) Of other acts under 11U.S.C. § 362 (d)(1)
- () Of codebtor stay under 11 U.S.C. § 1301 (c)(1) or (c)(3)

NOTICE OF DEFAULT

TO THE HONORABLE COURT:

Comes now Wilshire Credit Corporation as servicer for Lasalle National Bank, as Trustee for the registered holder of Salomon Brothers Mortgage Securities VII, Inc., Series 1997-HUD2 [hereinafter "Wilshire"], through its undersigned counsel, and very respectfully notified the following:

1. In the above-referenced matter, on October 27, 2004, the parties filed a stipulation, which was approved by the Court on November 20, 2003.



2. Pursuant to paragraph 4C of the stipulation, Debtors agreed to continue making their regular monthly payments from November 1, 2003 until full payment of the obligation. Debtors also agree that if they failed make two (2) monthly payments in a row to Wilshire, the automatic stay would be lifted without further hearing or order provided that Wilshire give prior Notice to Debtors and their counsel. In compliance with paragraph 4E, Wilshire sent notice to Debtors and their counsel. *See Exhibit "A."*

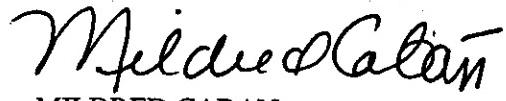
WHEREFORE, the movant respectfully informs Debtors' default on the Stipulation.

RESPECTFULLY SUBMITTED.

CERTIFICATE OF SERVICE: Debtors' attorney Emilio Sole de la Paz, Esq., P. O. Box 12354, San Juan, PR 00914 and Debtors, Fernando Aponte Ortiz & Hilda Cabán Brizzie, Calle Coral A 126, Parque Isla Verde, Carolina, PR 00979.

In San Juan, Puerto Rico, on this 4 day of February, 2005.

GOLDMAN ANTONETTI & CÓRDOVA,
P.S.C.
Attorneys for Movant
P.O. BOX 70364
SAN JUAN, P.R. 00936-0364
TEL. 759-4213; FAX 767-9177


MILDRED CABAN
USDC-PUERTO RICO #205206

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

**FERNANDO APONTE-ORTIZ
HILDA CABAN-BRIZZIE**

Debtors

**WILSHIRE CREDIT CORPORATION as
servicer for Lasalle National Bank, as
Trustee for the registered holder of Salomon
Brothers Mortgage Securities VII, Inc., Series
1997-HUD2**

Movant

vs.

**FERNANDO APONTE ORTIZ and HILDA
CABAN BRIZZIE -Debtors and JOSE R.
CARRION MORALES -Chapter 13 Trustee
Respondents**

Bankruptcy No.: 02-05455(SEK)

Chapter 13

**RECEIVED & FILED
IN OPEN COURT**

27 OCT 2003

**CLERK
U.S. BANKRUPTCY COURT
SAN JUAN, PUERTO RICO**

STIPULATION

TO THE HONORABLE COURT:

Come now Debtors Fernando Aponte-Ortiz and Hilda Cabán-Brizzie [hereinafter referred to as collectively the "Debtors"], Wilshire Credit Corporation as the servicer Lasalle National Bank, as Trustee for the registered holder of Salomon Brothers Mortgage Securities VII, Inc., Series 1997-HUD2 [hereinafter "Wilshire"], through their respective undersigned counsel, and the Chapter Trustee 13, José Ramón Carrión Morales, stipulate as follows:

1. On June 19, 2003, Wilshire filed a Motion for Relief of Stay on account of Debtors' failure to meet their payment obligation as per the confirmed plan dated March 14, 2003. The Court set a preliminary hearing for July 1, 2003.

2. On June 30, 2003, Debtors filed an opposition to motion for relief of stay.

3. A final hearing is set for October 27, 2003.

4. The parties reached the following agreement that consists on curing the post-petition accruals to wit:

A. Debtors agree that they owe Wilshire \$3,013.66 which includes \$899.96 payment for the month of October 2003, \$217.28 late charges and \$625.00 of legal fee. Debtors will pay in the following monthly installments:

2. \$502.31 on December 1, 2003;
3. \$502.31 on January 1, 2004;
4. \$502.31 on February 1, 2004;
5. \$502.31 on March 1, 2004;
6. \$502.31 on April 1, 2004.

B. On October 8, 2003, Debtor requested Integrated Payment Systems, Inc. ("IPS") to suspend the payment number 592-460-949 issued on October 15, 2002 in the amount of \$679.10 to the order of Wilshire Credit Corporation. Debtor also requested a replacement money order in the amount of \$679.10 to be issued to Wilshire Credit Corporation and mailed at its postal address. Debtors represents that a replacement check will be issued within thirty (30) days. However, if said amount is not replaced within sixty (60) days by the financial institution, then debtors will be responsible for paying the amount of \$679.10 on December 15, 2003.

C. Debtors will continue making their regular monthly payments starting on November 1, 2003 until full payment of the obligation stated in the mortgage note and deed.

D. Debtors claims that they are exempt for GRIM taxes and is seeking to obtain proof of said exemption. Debtors will have until December 15, 2003 to provide proof of exemption CRIM. In the meantime, Wilshire will not increase the monthly escrow balance, which consist of forced-placed insurance of \$880.00 a year plus CRIM taxes that amount to \$1,537.30, for a total of \$2,417.30 a year, which is subject to change. If Debtors fails to provide proof of exemption of real estate taxes by December 15, 2003 then Debtors' escrow payment will be increased to \$201.45 (\$2,417.30 divided by 12 months). If Debtors provide proof of exemption then Wilshire will make the corresponding adjustments to Debtors' account.

E. If Debtors fail to make two (2) monthly payments in a row under the terms of this stipulation or fails to make two (2) monthly payments in a row to Wilshire and/or the Chapter 13 Trustee, the stay will be automatically lifted without any further hearing or order, provided that Wilshire give prior Notice to Debtors and Counsel. Wilshire will accept all payments received from Debtors.

5. Please be advised that the foregoing stipulation was notified by regular mail to creditors and the parties in interest listed in the attached Master's Address List.

6. Please also be advised that creditors and parties in interest are granted a term of fifteen (15) days from this stipulation to object thereto in writing. If no timely written objection is filed, the Court may approve the stipulation without further notice or hearing. However, if a timely objection is filed, the Court may schedule a hearing to consider the stipulation and the objection thereto filed.

WHEREFORE, the parties pray that the present stipulation be approved.

In San Juan, Puerto Rico, on October 24, 2003.

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Emilio Sole de la Paz
EMILIO SOLE DE LA PAZ
USDC-PUERTO RICO #206204

JOSE RAMON CARRION MORALES
Chapter 13 Trustee

CERTIFICATE OF SERVICE: I hereby certify that on this same date a copy of the foregoing motion was notified to the parties on the attached Master Address List.

In San Juan, Puerto Rico, on this 24 day of October, 2003.

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EMILIO SOLE DE LA PAZ
USDC-PUERTO RICO #206204

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

1 IN THE MATTER OF:

2 APONTE ORTIZ, FERNANDO

3 CABAN BRIZZIE, HILDA DEL CARMEN

4 583-76-5092

5 583-90-4075

6 CASE NO. 02-05455 SEK

7 Chapter 13

EXHIBIT

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11 FILED & ENTERED ON 11/20/2003

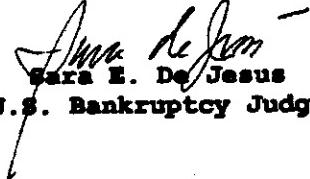
12 Debtor(s)

13 ORDER

14 Debtors and Wilshire Credit Corporation's Stipulation filed on 10/27/2003
(Docket No. 49A) is GRANTED.

15 SO ORDERED.

16 In San Juan, Puerto Rico, this November 20, 2003.

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Sara E. De Jesus
U.S. Bankruptcy Judgec: DEBTOR (S)
EMILIO SOLE DE LA PAZ
JOSE RAMON CARRION MORALES
WILSHIRE CREDIT (MILDRED CABAN)